

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: ) Group Art Unit: 1643  
BAMDAD, Cynthia C. )  
Serial No.: 10/570,010 ) Examiner: N/A  
Filed: 02/27/2006 )  
For: **TECHNIQUES AND COMPOSITIONS FOR**  
**DIAGNOSIS AND TREATMENT OF CANCER (MUC 1)** )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT**  
**APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE**  
**DISCLOSURES**

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures dated January 29, 2007 indicating that the content of the computer readable form does not comply with requirements of 37 CFR 1.822 and/or 1.823 because claims recite sequences not found in Sequence Listing, specifically “MGFR” in claim 1 and “PSMGFR” in claim 4, Applicant submits that the phrases “MGFR” and “PSMGFR” recited in claims 1 and 4, respectively, are not sequences, but abbreviations. Applicant states that “MGFR” stands for “MUC1 Growth Factor Receptor” and “PSMGFR” stands for “Primary Sequence of the MUC1 Growth Factor Receptor” as described at pages 12 and 13, respectively, in the specification. Accordingly, Applicant respectfully

requests withdrawal of Notification to Comply with Requirements for Patent Applications

Containing Nucleotide and/or Amino Acid Sequence Disclosures dated January 29, 2007.

The Commissioner is authorized to charge JHK Law's Deposit Account No. 502486 for any fees required under 37 CFR §§1.16 and 1.17 that are not covered, in whole or in part, by a credit card payment enclosed herewith and to credit any overpayment to said Deposit Account No. 502486.

March 16, 2007

Respectfully submitted,

/Joseph Hyosuk Kim/  
Joseph Hyosuk Kim, Ph. D.  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U. S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/570,010	Cynthia C. Bamdad	13150-70089US
INTERNATIONAL APPLICATION NO.		
		PCT/US04/27954
I.A. FILING DATE		PRIORITY DATE
08/26/2004		08/26/2003
<b>CONFIRMATION NO. 8164</b>		
<b>371 WITHDRAWAL NOTICE</b>		
 <sup>*</sup> OC000000022106274*		

Date Mailed: 01/29/2007

**WITHDRAWAL OF PREVIOUSLY SENT NOTICE**

The Notice mailed on 04/24/2006 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the enclosed Notice. We apologize for any inconvenience this caused.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

PART 1 - ATTORNEY/APPLICANT COPY



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I.A. FILING DATE		PRIORITY DATE
08/26/2004		08/26/2003
CONFIRMATION NO. 8164		
371 FORMALITIES LETTER		
 *OC000000022209091*		

Date Mailed: 01/29/2007

**NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application OR** a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://spportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

DONNA S GREENE

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Telephone: (703) 308-9140 EXT 222

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10/570,010	PCT/US04/27954	13150-70089US

FORM PCT/DO/EO/922 (371 Formalities Notice)

# OIPE ROUTING SHEET APPLICATION

IFW DocCode - SEQREQ

10/570,010

**TO BE DELIVERED TO:**  
**Tech Center Scanning**

## Sequence Rule Compliance Review Item

	CRF, paper copy of sequence listing, and statement that both are same missing
	CRF contains error(s) according to STIC Report
	CRF damaged or unreadable according to STIC Report
	CRF transferred from prior application is not compliant
X	Claims recite sequences not found in Sequence Listing

**Place an "X" in the appropriate box**



LARRY R. HELMS, PH.D.  
SUPERVISORY PATENT EXAMINER

**APPLICATION SERIAL NUMBER**

**10/570,010**

**DOES NOT COMPLY WITH THE  
SEQUENCE RULES. See reasons below.**

Claims 1 and 4 contain sequences not found in the CRF. Specifically, Claim 1 recites "MGFR" and Claim 4 recites "PSMGFR". Applicants are advised to carefully check the specification and figures for any other sequences that are not in compliance.